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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 MIGUEL TORRES, S.A.

14 Plaintiff, Case No: C08-01288 WHA

15 vs.

ASSIGNED FOR ALL PURPOSES TO:
WILLIAM ALSUP

16 TORRES DE ANGUILZ, S.L.,

17 Defendant. DECLARATION OF KATRINA J. LEE IN
18 SUPPORT OF AMENDED STIPULATION
19 AND [PROPOSED] ORDER
RESCHEDULING CASE MANAGEMENT
CONFERENCE AND EXTENDING
DEADLINES

20 Date Action Filed: March 5, 2008
21 Trial Date: None Set

1 I, KATRINA JUNE LEE, declare:

2 1. I am a partner with the law firm of Nossaman, Guthner, Knox & Elliott LLP, counsel of
3 record for Defendant Torres de Anguix, S.L.

4 2. This declaration is submitted in support of the parties' amended stipulated request and
5 proposed order to extend initial deadlines in this matter, filed herewith. The parties submitted a
6 stipulated request and proposed order on May 28, 2008 that was denied by the Court on the same date.
7 The parties respectfully submit today an amended stipulated request and proposed order accompanied by
8 this declaration, which was not previously filed. The amended stipulated request filed herewith differs
9 from the submission by the parties yesterday in two respects: (1) It is accompanied by this declaration;
10 and (2) It stipulates and requests that the Initial Case Management Conference ("CMC") be moved to a
11 Thursday, July 24, 2008, at 11:00 a.m., in conformance with Judge Alsup's calendar. Previously, the
12 parties had stipulated to a later CMC date of July 28, which is a Monday.

13 3. The extension of deadlines is sought for several reasons including the following:

14 a. Defendant Torres de Anguix, S.L. ("Torres de Anguix") is a small winemaker
15 whose business is based in Spain. This lawsuit was brought in San Francisco, California, creating
16 logistical challenges for Torres de Anguix.

17 b. Specifically, assistance with translation of the English language documents
18 related to this matter was needed. Torres de Anguix also needed translation assistance to speak with
19 potential U.S. counsel.

20 c. Also, Torres de Anguix needed to hire counsel in the United States to represent it
21 in this matter. Just within the past week, Torres de Anguix retained counsel located in Portland, Maine
22 to represent it in this matter. Subsequently, Torres de Anguix also retained counsel in California, my
23 law firm.

24 d. I have been advised that lead counsel for the plaintiff will be out of the country on
25 the date the Initial Case Management Conference is currently scheduled.

26 e. The parties are in agreement regarding the request for extended deadlines.
27 Subparagraphs 3a and 3b of this declaration are made upon information and belief.

4. Pursuant to the parties' stipulation, the schedule of the case would be altered with respect to initial deadlines:

a. Specifically, the last day for the parties to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan would be extended from May 27, 2008 to June 30, 2008. The last day for the parties to file a Joint ADR Certification with Stipulation to ADR Process or Notice of Need for ADR Phone Conference would be extended from May 27, 2008 to June 30, 2008.

b. The last day for the parties to file a Rule 26(f) Report, complete initial disclosures, or state objection in the Rule 26(f) Report would be extended from June 9, 2008 to July 14, 2008.

c. The date of the Initial Case Management Conference, set as June 12, 2008 in the March 17, 2008 Clerk's Notice Scheduling Initial Case Management Conference On Reassignment ("Clerk's Notice"), would be changed to July 24, 2008, at 11 a.m., or to such date and time thereafter that is available on the Court's calendar. Accordingly, the deadline for the Joint Case Management Conference Statement would be no later than July 17, seven days before the CMC.

d. Torres de Anguix, who has only recently retained counsel, would have until June 9, 2008, a little more than a week from today, to file its Answer.

5. Except for the Stipulation filed yesterday, the parties have not previously submitted any Stipulations to modify time in this matter. Sua sponte, the Court altered the date of the initial case management conference once before. When the case was reassigned from Magistrate Judge Zimmerman to Judge Alsup, the initial case management conference was moved back from June 16 to June 12, 2008. Consequently, the deadline for the case management conference statement was moved back from June 9 to June 5, 2008. These scheduling changes were reflected in the Clerk's Notice.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 29, 2008.

/s/ KATRINA J. LEE

Katrina J. Lee